

Appl. No.: 10/709,679
Amdt. Dated: 7/6/2005
Reply to Office action of: 05/09/2005

AMENDMENTSTOTHEDRAWINGS:

The attached sheet(s) of drawings includes amended Figures 3 and 4 having two omitted numbers added to identify clearly two of the elements shown therein, and new Figures 5 and 6.

Amended Figures 3 and 4 label the non-universal screw head slot and the sidewall opening in the trunco-conical part.

New figures 5 and 6 show a cross section views of the trunco-conical part and the trunco-conical part with a screw partially inserted therein as suggested by the Examiner.

Attachment: Replacement Sheet
Annotated Sheet Showing Changes
Additional New Sheet

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REMARKS/ARGUMENTS

In the specification, paragraphs [0011], [0014], and [0021] have been amended to correct editorial problems encountered in translating from Spanish to English and to clarify Applicant's invention. New paragraphs [0018.1] and [0018.2] have been added to identify properly new Figures 5 and 6. Support for these amendments may be found, for example, in Figures 1 – 4.

New Figures 5 and 6 on the new drawing sheet have been added to provide a clearer view of the invention as suggested by the Examiner. Support for these new figures may be found, for example, in original Figure 4.

Claims 1 and 2 remain in this application. Claims 1 and 2 have been amended to claim more clearly Applicant's invention and to correct minor grammatical errors.

Support for these amendments to the claims may be found, for example, in Figures 1 – 4.

No new matter has been introduced by the amendments submitted herein.

The Examiner has objected to the title of the invention. Specifically, the Examiner states:

The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

With this amendment a more descriptive title has been introduced. Therefore, this objection should now be moot and Applicant requests that it be removed.

The Examiner has objected to the drawings under 37 CFR 1.83(a) requiring that every feature of the invention specified in the claims is shown. Specifically, the Examiner states:

Therefore, the screw with a hollow trunco-conical part partially introduced therein and a non-universal configuration must be shown or the feature(s) canceled from the claims 1 – 2. No new matter should be entered.

And:

...because they fail to show the screw provided with a partially introduced hollow-conical part, its open ends and the side opening in the wall as well as a particular head as described in the specification.

Applicant has amended original Figure 4 to identify the non-universal screw head slot (17) inadvertently not labeled, and has amended the specification to more clearly

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describe this non-universal screw head slot (17) shown in original Figure 4. In addition, the specification has been amended to describe more clearly the mounting of screw (14) in anchor body (15) as also originally shown in original Figure 4. The confusion in the description of mounting the screw (14) in the anchor body (15), pointed out by the Examiner having arisen from an error in translation. Therefore, Applicant believes that this objection has now been rendered moot and requests that it be removed.

The Examiner has rejected claims 1 –2 under 35 U.S.C. 112, second paragraph, as failing to set forth the subject matter which applicant(s) regard as their invention.

Specifically, the Examiner states:

Evidence that claims fail to correspond in scope with that which applicant(s) regard as the invention can be found in the Figure 4 which shows a screw 14 partially introduced in a trunco-conical part (not numbered). This indicates that the invention is different from what is defined in the claim(s) because the claim suggests the part 15 is partially introduced in the screw.

Note: A screw 14 with a universal head and partially introduced in a trunco-conical part (not numbered) has been assumed.

Applicant respectfully traverses this rejection. By this amendment the specification and claims language has been corrected to more clearly and distinctly describe and claim the invention disclosed in the original drawings. In addition, the new Figures 5 and 6, suggested by the Examiner, clearly show the trunco-conical part 15 has screw 14 partially mounted therein. In addition, the non-universal screw head slot 17 has now been numbered and clearly identified as the non-universal portion of the screw head. This is further ascertainable in the original specification by the Applicant's defining of non-universal screw head and screw turning tools, see for example, paragraph [0011]. The trunco-conical part is numbered as number 15 in original Figure 4 and new Figures 5 and 6. While the Examiner has stated that it is unnumbered he has also correctly stated that it is part 15, see for example paragraph 6 of the Examiners Action dated 05/09/2005 to which this is the response. By this amendment the feature alleged not numbered has been shown to be numbered in the original application. In addition, by this amendment the specification, drawings, and claims now describe and claim the same invention. In light of these amendments to specification and claims this basis of rejection is now moot. When

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viewed in light of the amendments to the specification, drawings, and claims presented herewith it is clear that the claimed invention is now ready for allowance and such action is respectfully requested.

The Examiner has rejected Claims 1 and 2 under 35 U.S.C. 102 as being anticipated by Fulop (5,791,845). Specifically, the Examiner states:

Fulop (Figures 1 – 16) shows a security device having a screw 1 with a circular head and partially introduced into a hollow trunco-conical part 2 which has two open ends and an opening in the walls such that the walls close on the screw when the device is introduced into a hole in support 30.

Applicants respectfully traverse this rejection. A fair reading of Fulop (5,791,845) discloses a drywall anchor (trunco-conical part 2) comprising 2 half cylinders connected at their lower ends by a rupturable hinge such that only one end of the trunco-conical part 2 is open until after a screw has been mounted substantially completely through said trunco-conical part 2. This reference does not teach the use of a screw head having a non-universal slot such that common wrenches and/or screwdrivers may be used to turn the screw. The reference does not teach a trunco-conical part that has both ends open and that is normally in a fully expanded condition not requiring that a screw or bolt be mounted substantially completely through it to cause it to be fully expanded after the lower end hinge is ruptured. Furthermore the reference does not teach the use of an opening in the walls of a normally fully expanded trunco-conical part which allows the trunco-conical part to be snapped into a hole smaller in diameter than the lower end of said trunco-conical part as is disclosed and claimed in Applicant's application. In contrast the slots of the reference are required to allow the screw upon mounting to expand the trunco-conical part and break the rupturable hinge at its lower end to allow for complete expansion of the lower end of said trunco-conical part. In no embodiment of the invention of the cited reference is there a disclosure, teaching, or suggestion that the trunco-conical part have both ends open or that it may be mounted in a fully expanded condition. Nor is there the necessary impetus provided for one skilled in the art to modify the teaching of this reference to create a fully expanded trunco-conical part or a screw with a non-universal head slot.

Clearly the cited reference does not disclose, teach, or suggest a security device comprising a screw having a non-universal head slot and a trunco-conical part having two

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open ends and a fully expanded condition with slots to allow said trunco-conical part to be snapped into a hole having a diameter smaller than the fully expanded portion of said part as claimed in Applicant's application. When viewed in this light it is clear that the claimed invention is now ready for allowance and such action is respectfully requested.

Applicant acknowledges the prior art made of record but not relied upon as a basis of rejection by the Examiner. Since these references were not used as a basis of rejection Applicant makes no further comment regarding these references.

In view of the remarks herein, and the amendments hereto, it is submitted that this application is in condition for allowance, and such action and issuance of a timely Notice of Allowance is respectfully solicited.

Respectfully submitted,



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Attachments